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13

14   **UNITED STATES DISTRICT COURT**

15   **NORTHERN DISTRICT OF CALIFORNIA**

16

SANTA CLARA VALLEY HOUSING GROUP, INC. and KRISTEN M. BOWES,	**CASE NO. 08-cv-05097-JW**
Plaintiffs,	**STIPULATION AND [PROPOSED] ORDER TO EXTEND THE DISCOVERY PERIOD AND OTHER PRETRIAL DATES**
v.	
UNITED STATES OF AMERICA	
Defendant.	

23   SANTA CLARA VALLEY HOUSING GROUP, INC. ("Santa Clara"), and KRISTEN M.

24 BOWES ("Bowes") (collectively referred to as "Plaintiffs"), and the UNITED STATES OF AMERICA

25 ("United States"), by and through their attorneys, pursuant CIV. L. R. 6-2, hereby stipulate that the

26 discovery period and other pretrial dates established by the Court in the Scheduling Order of April 8,

27 2009 be extended for a three month period due to lengthy delays experienced in connection with

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STIPULATION AND [PROPOSED] ORDER TO EXTEND DISCOVERY PERIOD

obtaining and reviewing extensive documents from various third parties, including KPMG, LLP. These

delays are described in more detail in the attached declaration of James E. Weaver. This income tax

refund suit is the initial SC2 tax transaction to be litigated. Therefore, as a case of first impression,

involving substantial tax revenue, the United States has requested and the plaintiffs have agreed to the

extensions sought herein. This is the first modification of the Case Schedule sought by the parties in

this action.

Therefore, the parties hereby stipulate that the Case Schedule be modified as follows:

Close of All Discovery: **July 12, 2010;**

Disclosure of Expert Witnesses: **May 10, 2010;**

Disclosure of Rebuttal Expert Witnesses: **June 10, 2010;**

Last Day for Hearing Dispositive Motions: **September 27, 2010;**

Preliminary Pretrial Conference: **June 7, 2010;**

Preliminary Pretrial Conference Statements: **May 28, 2010.**

Respectfully submitted this 8th day of January, 2010.

HOCHMAN, SALKIN, RETTIG, TOSCHER & PEREZ, P.C.

By: /s/ Steven Toscher
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Respectfully submitted this 8th day of January, 2010.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 14, 2010

UNITED STATES DISTRICT JUDGE